

IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 10-0191

RENEE NEARY, as parent and guardian of Dylan Dallaserra;
KRISTI LUCAS and ALICE JEAN SPEARE; each individually
and as representative members of a class of similarly situated
plaintiffs,

Plaintiffs and Appellees,

v.

BLUE CROSS AND BLUE SHIELD OF MONTANA,
INC., a Montana licensed health service corporation; and
MONTANA COMPREHENSIVE HEALTH ASSOCIATION,

Defendants and Appellees.

BRITTANY C. SMITH, individually and as a member of a
similarly situated class,

Plaintiffs and Appellees,

v.

BLUE CROSS AND BLUE SHIELD OF MONTANA,
INC., a Montana licensed health service corporation,

Defendant and Appellee.

FILED

MAY 12 2010

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

ORDER

The parties to this action have jointly moved for dismissal of this appeal of an order denying a motion to intervene, on grounds that such an order is not one from which an appeal may be had under M. R. App. P. 6. The would-be intervenors, who filed the notice of appeal, have filed a written concession that the motion to dismiss is well-taken.

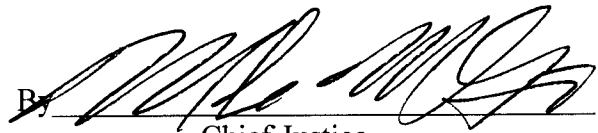
THEREFORE,

IT IS ORDERED that this appeal is DISMISSED.

The Clerk is directed to provide copies of this Order to all counsel of record.

DATED this 28th day of May, 2010.

For the Court,

By 
Chief Justice